

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT BRUCE KING,

Plaintiff,

vs.

U.A.W. LOCAL 600, ET AL.,

Defendants.

CIVIL ACTION NO. 04-CV-75007-DT

DISTRICT JUDGE ANNA DIGGS TAYLOR

MAGISTRATE JUDGE MONA K. MAJZOUB

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**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION TO COMPEL ATTENDANCE AT DEPOSITIONS
AND PRODUCTION OF DOCUMENTS AND FOR SANCTIONS**

On September 2, 2005 Plaintiff filed a Motion to Compel Attendance at Depositions and Production of Documents and for Sanctions with this Court. Defendants filed written responses. Counsel for all parties presented oral argument on the motion at a hearing held on November 1, 2005. Following an extensive discussion on the record, and this Court being otherwise fully advised in the premises:

IT IS HEREBY ORDERED, that the deposition of Plaintiff, Robert Bruce King, will take place on Friday, **November 11, 2005** and will commence no later than 11:30 a.m. at the offices of Plaintiff's counsel, and will proceed until completed. Counsel will stipulate to continuing objections to form and foundation (this contemplates relevancy objections). Any legal objections made on the basis of privilege will be met with an instruction by the representing attorney to his client to refrain from responding to the specific question where privilege is purportedly invoked, and the cross examination will continue on other matters until the deposition is completed. The resolution of such legally recognized privilege issues will be brought before the Court for a decision upon motion by counsel.

IT IS FURTHER ORDERED that the deposition of Defendant Leone will take place on Monday, **November 28, 2005** at the law offices of Mr. Richard Steinberg, commencing no later than 10:00 a.m. and will continue until conclusion. (A back-up date of Saturday, December 3, 2005 will be used if necessary). The stipulations regarding objections by counsel and the procedures for handling objections asserting a legal privilege as described above will prevail.

IT IS FURTHER ORDERED that the deposition of Defendant Sullivan will take place on Wednesday, **December 7, 2005** at the law offices of Mr. James Andary, and will begin no later than 10:00 a.m. and will proceed until completion. The stipulations as above described regarding objections by counsel and the procedures for handling objections asserting a legal privilege will prevail.

IT IS FURTHER ORDERED that Mr. Steinberg, on behalf of his client, Defendant Russell Leone, will provide an amended response to Plaintiff's Request to Produce No. 6, (as amended in form and substance on the record consistent with the language and clarification found in Plaintiff counsel's letter to Mr. Steinberg dated June 21, 2005, Exhibit I, to Plaintiff's Motion), within 14 calendar days of this Order

IT IS FURTHER ORDERED that Plaintiff will amend the language of Plaintiff's Request to Produce No. 6 in a manner consistent with the language of Exhibit 1 to Plaintiff's Motion (specifically Plaintiff's letter dated June 21, 2005 addressed to Mr. Steinberg) within 14 days of this Order.

IT IS FURTHER ORDERED that counsel for Defendant Leone is to produce to Plaintiff's counsel all exhibits used during the cross examination of Defendant Eric Cullum at his deposition, and all exhibits used during the cross examination of Plaintiff during the hearing on Defendant Leone's Motion for Preliminary Injunction. Said exhibits will be copied and produced

in their totality to Plaintiff on or before the end of business on November 2, 2005.

IT IS FURTHER ORDERED that Plaintiff's Motion for Sanctions is DENIED.

IT IS SO ORDERED.

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: 11/3/05

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

Proof of Service

I hereby certify that a copy of this Order was served upon Counsel of Record on this date.

Dated: 11/3/05.

s/ Lisa C. Bartlett
Courtroom Deputy